



County of Los Angeles
INTERNAL SERVICES DEPARTMENT

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"To enrich lives through effective and caring service"

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August 05, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

13 August 5, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**AMENDMENT TO THE DETERMINATIONS OF CONTRACTOR
NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT ORDINANCE
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

APPROVAL TO AMEND THE DETERMINATIONS OF CONTRACTOR
NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT ORDINANCE

IT IS RECOMMENDED THAT THE BOARD:

Approve, introduce, waive reading, and place on your Board's agenda for adoption an ordinance amending Title 2, Chapter 2.202 of the Los Angeles County Code, Determination of Contractor Non-Responsibility and Contractor Debarment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On January 11, 2000, your Board adopted an Ordinance for Determinations of Contractor Non-Responsibility and Contractor Debarment (Ordinance), Los Angeles County Code Chapter 2.202. The Ordinance provides procedures for the County to determine that a contractor is (1) non-responsible and shall not be awarded a particular contract, and (2) debarred from contracting with the County for a specific period of time.

On February 10, 2004 and August 9, 2005, your Board approved revisions to the Ordinance, providing clarification and guidance within the non-responsibility and debarment process.

This recommended action expands the definition of a “contractor” to strengthen the County’s ability to take a debarment action against more than just the contracting entity itself, or an individual or entity owning more than ten percent of the contracting entity. The revised Ordinance expands the parties (e.g., shareholders, managers, employees, etc.) that may be included in a debarment action if they participated, knew of, or should reasonably have known of conduct that results in a finding of non-responsibility or debarment.

The recommended amendments will also be included in revisions to the Implementation of Procedures for Determinations of Contractor Non-Responsibility and Contractor Debarment issued by the Internal Services Department (ISD) after your Board’s approval of the attached Ordinance.

Implementation of Strategic Plan Goals

The recommended action supports County Strategic Plan Goal Number 1 (Operational Effectiveness/Fiscal Sustainability) by maximizing the effectiveness of the County’s Process.

FISCAL IMPACT/FINANCING

There is no fiscal impact from this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On January 2000, your Board adopted the Determinations of Contractor Non-Responsibility and Contractor Debarment Ordinance to promote integrity in the County’s contracting process and to protect the public’s interest. This Ordinance sets forth the requirements and process for finding a contractor non-responsible or debarring a contractor.

The recommended action includes making the following revisions: (1) transferring the responsibility for issuing the Implementation of Procedures for Determinations of Contractor Non-Responsibility and Contractor Debarment from the Auditor-Controller to ISD; and (2) defining the term “contractor”.

CONTRACTING PROCESS

The Determinations of Contractor Non-Responsibility and Contractor Debarment Ordinance will continue to be applicable in the County’s contract process.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The Ordinance amendment will enhance existing non-responsibility and debarment policies and procedures while providing departments with the appropriate guidance and direction necessary to make determinations consistent with your Board's direction.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J.E. Jones", written in dark ink on a light background.

JIM JONES

Director

JJ:JS:YY:LG

Enclosures

c: Chief Executive Officer
County Counsel
Auditor-Controller